

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JOSIE DODSON,)	
)	
Plaintiff,)	
)	Case No. 4:06cv00016
v.)	
)	<u>ORDER</u>
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	By: Jackson L. Kiser
Defendant.)	Senior United States District Judge

On April 21, 2006, this Court entered an order referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. On August 9, 2006, the Commissioner filed a Motion to Remand because the tape recording of Plaintiff's hearing before the Administrative Law Judge held on January 11, 2005 is inaudible. The Magistrate Judge has entered a Report recommending that the Commissioner's motion be granted and Plaintiff has not objected. For these reasons, this Court adopts Magistrate Judge Crigler's Report in its entirety. Accordingly, it is this day **ADJUDGED** and **ORDERED** as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed August 10, 2006 shall be, and hereby is, **ADOPTED** in its entirety.
2. For the reasons stated in Magistrate Judge Crigler's Report, Plaintiff's case is **REMANDED** for a *de novo* hearing before an Administrative Law Judge consistent with Magistrate Judge Crigler's Report.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 29th day of August, 2006.

s/Jackson L. Kiser
Senior United States District Judge